NEDA's response to the National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026

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Hardwick House Unit 1, 6 Phipps Close
Deakin, ACaT 2600

policy@neda.org.au

www.neda.org.au

National Ethnic Disability Alliance

ABOUT NEDA

The National Ethnic Disability Alliance (NEDA) is Australia's national peak body representing people with disability from culturally and linguistically diverse (CALD) backgrounds, their families, and carers. NEDA holds Disability Representative Organisation (DRO) status and United Nations Economic and Social Council (ECOSOC) consultative status. We are governed by a Board with a majority of people with disability from migrant or refugee backgrounds and have member organisations in every state and territory. NEDA advocates federally for the human rights, inclusion and equitable access of CALD people with disability across all aspects of Australian life.

EXECUTIVE SUMMARY

NEDA welcomes the opportunity to provide feedback on the proposed amendments to the National Disability Insurance Scheme (NDIS) through the "(Securing the NDIS for Future Generations)" Bill 2026[1].

NEDA acknowledges the government's commitment to maintaining a sustainable and effective NDIS for the future. We recognise the challenges associated with rising scheme costs, variations in access and planning decisions, and ongoing administrative challenges. NEDA supports reforms that strengthen the Scheme while ensuring people with disability remain at the centre of decision-making, with fair access to the supports they need and their rights protected.

However, NEDA is concerned that these reforms will have a disproportionate impact on particular groups within the disability community. For people from CALD backgrounds, navigating the NDIS can already be challenging due to language barriers, limited access to information, and other systemic obstacles. If the Bill is implemented without culturally responsive supports and safeguards, there is a risk that this sub-population could face even greater difficulties accessing the Scheme and exercising choice, autonomy, and their rights within it.

This submission is informed by the social model of disability, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), principles of cultural safety and equitable participation, and consultation with people with disability, carers, advocates, and community representatives.

NEDA's key concerns relate to continuity of support, increasing reliance on informal care, barriers to review and reassessment processes, tighter access and permanency requirements, impacts on people with fluctuating or degenerative conditions, support continuity for older participants, reduced opportunities for community participation, workforce impacts, and the broad ministerial powers proposed under Schedule 5.

NEDA is particularly concerned about the cumulative impact of these reforms on participants who already face barriers navigating complex systems. For people with disability from CALD backgrounds, existing challenges related to language, access to information, and system navigation may be further compounded if reforms are not communicated and implemented in culturally safe and accessible ways. Consultation participants also highlighted concerns that responsibility for explaining and translating reforms is increasingly falling to under-resourced community organisations and peak bodies without corresponding funding or support.

NEDA provides this submission in the spirit of supporting a strong and sustainable NDIS. Our recommendations are aimed at ensuring the Scheme continues to uphold the rights of people with disability, promotes inclusion and fairness, and provides equitable access to support for all participants.

BARRIERS AND INEQUITIES FACING CALD PARTICIPANTS IN THE NDIS

Despite representing a significant part of Australia's population, people from CALD backgrounds remain underrepresented in the NDIS, accounting for only approximately 8.8% of NDIS participants nationally[2,3]. NEDA's consultations and broader research literature consistently highlight the additional barriers many CALD participants face, including language and communication barriers, limited access to information about their rights, cultural stigma associated with disability, difficulties accessing advocacy, challenges navigating the Scheme, and a lack of culturally responsive support[4]. These barriers can make it harder for people to access the services and protections the NDIS is intended to provide.

These barriers are not the result of individual circumstances; they stem from the way systems are designed[5]. Many processes assume a level of English

proficiency, familiarity with government systems, confidence navigating complex administrative requirements, and access to advocacy or informal support networks that not all participants have.

NEDA is concerned that the Bill will unintentionally exacerbate existing inequities if they rely on participants being able to independently navigate plan reassessment processes, understand complex legislative changes, identify alternative supports, challenge decisions, or access community-based services without additional assistance.

There are also concerns around the limited availability of information about the reforms in community languages. The responsibility for explaining and communicating changes is increasingly falling to community organisations, despite these organisations often lacking the resources needed to take on this role effectively.

As outlined in Australia's Disability Strategy 2021-2031, the CRPD and the NDIS's Cultural and Linguistic Diversity Strategy 2024-2028, accessibility requires more than the publication of information [6,7,8]. Information must be provided in ways that are understandable, culturally responsive and practically accessible to the communities expected to understand and act upon it, such as Easy Read, Plain English, Auslan, Braille, screen reader friendly resources, and other formats.

CONTINUITY OF SUPPORT DURING THE TRANSITION

A key concern for NEDA is the potential for participants to experience gaps in support during the implementation of the proposed reforms. Participants may face reductions in funding or lose access to the Scheme before alternative supports are fully established, accessible, and able to meet their needs[9]. This risk is particularly relevant in the context of the new Thriving Kids initiative, planned changes to eligibility and support assessment processes, and reforms expected to move a substantial number of people out of the Scheme, while the design and implementation of foundational supports remain unclear[10].

NEDA has previously raised concerns that CALD participants may be at heightened risk of falling through gaps during the transition to new disability support arrangements. In a joint statement on the rollout of Thriving Kids and

foundational supports, NEDA highlighted that families facing language barriers and limited access to culturally responsive information and services may be particularly vulnerable when support boundaries shift between systems[11]. In this context, CALD participants may face increased risks during the transition period, particularly where reforms are implemented before alternative supports are fully established and accessible.

Furthermore, for many CALD participants, being referred to a service does not necessarily mean they can access the support they need. Language and communication barriers, difficulties navigating complex service systems, limited service availability, and concerns regarding cultural safety can all reduce the practical accessibility of mainstream services[4]. Stakeholders consulted by NEDA expressed concern that the proposed reforms assume community organisations and mainstream services will be able to meet the needs of participants whose NDIS supports are reduced or withdrawn. Participants noted that many community-based supports that previously assisted people with disability were reduced, restructured, or transitioned into NDIS-funded service systems following the introduction of the Scheme. The Independent NDIS Review similarly acknowledged that broader community supports originally intended to operate alongside the NDIS "have not been delivered", resulting in the NDIS becoming an "oasis in the desert" for many people with disability. As a result, there are limited non-NDIS services with the disability expertise and cultural responsiveness needed to meet growing demand[12].

NEDA submits that participants should not lose access to existing supports until suitable alternatives are in place. Replacement services must be available, accessible, culturally responsive, and capable of meeting participants' needs. Simply referring someone to another service, placing them on a waiting list, or directing them to mainstream systems does not constitute continuity of support. Without appropriate safeguards, there is a risk of increased social isolation, unmet support needs, carer burnout, disengagement from services, and widening inequities for people who already face barriers navigating complex systems.

ACCESS, FUNCTIONAL CAPACITY, AND PERMANENCY REQUIREMENTS

Questions remain about how proposed changes to functional capacity, permanency requirements, reassessment processes, and support determinations may affect access to the NDIS. There is concern that narrower interpretations of disability and support needs will make it more difficult for people to access or retain support. This is particularly relevant for people with fluctuating, psychosocial, degenerative, or multiple disabilities, whose needs may not fit neatly within rigid assessment frameworks[13]. Requiring participants to exhaust all reasonable treatments before accessing support may also disadvantage people whose conditions cannot be cured or whose treatments are focused on managing symptoms and slowing progression rather than achieving recovery.

For people from CALD backgrounds, language, cultural, and communication barriers can make it more difficult to explain support needs and navigate complex assessment processes. As reforms are implemented, it will be important to ensure assessment and planning processes remain flexible, culturally responsive, and person-centred rather than relying solely on standardised approaches.

REVIEW PATHWAYS AND PROCEDURAL FAIRNESS

Access to fair and effective review processes is an important safeguard within the NDIS. However, the proposed reforms will make it more difficult for participants to seek reassessment, request a review of decisions, or pursue external appeals.

For many people from CALD backgrounds, navigating review and complaints processes can already be challenging[14]. These processes often rely on English proficiency, familiarity with government systems, confidence engaging with administrative processes, and access to advocacy support. As a result, some participants may be unaware of available review pathways, uncertain about how to challenge decisions, or unable to access the support needed to do so effectively.

Accessible review mechanisms are particularly important where decisions may be influenced by communication barriers, cultural misunderstandings, or assessment processes that do not fully capture an individual's circumstances. Simply

providing a right to review is not enough. To support procedural fairness, review processes must be accessible, culturally responsive, and practical for all participants to use.

AGEING WITH DISABILITY: MAINTAINING SUPPORT BEYOND AGE 65

The interaction between the NDIS and aged care systems remains an important issue for participants approaching or over the age of 65. While people who enter the NDIS before age 65 can continue receiving support as they age, questions remain about how proposed reforms will affect these longstanding protections[12]. Increased plan reassessment scrutiny, narrower interpretations of support needs, or sustainability-driven decision-making may create uncertainty for older participants and their families.

Particular attention should be given to how age-related conditions, secondary conditions, or additional disabilities that emerge later in life are recognised and supported. This is especially important for people with degenerative conditions, fluctuating disabilities, or complex support needs, where functional impacts can change significantly over time.

It is also important to recognise that the aged care system is not designed around the same principles as the NDIS. Choice and control, individualised disability supports, and participation in community life are central to the NDIS but are not reflected in the same way within aged care services.

For participants from CALD backgrounds, the interaction between the NDIS and aged care systems may present additional challenges over time. Language barriers, reduced access to advocacy, fragmented service systems, digital exclusion, and limited culturally responsive services can make it more difficult to understand available options and access appropriate support.

NEDA submits that NDIS reforms should explicitly protect continuity of support for older participants and ensure that sustainability measures do not inadvertently disadvantage people with disability as they age.

FAMILIES, CARERS, AND WORKFORCE IMPACTS

Families and communities play an important role in supporting people with disability, but informal support should not be viewed as a substitute for funded disability services. Women continue to undertake the majority of unpaid caring responsibilities in Australia[15]. For many CALD families, these responsibilities may be compounded by language barriers, difficulties navigating service systems, financial pressures, and limited access to culturally responsive supports. Changes that reduce access to formal supports risk increasing reliance on unpaid carers and placing additional pressure on families already managing complex support needs.

The impacts may also extend to the disability workforce. The 2025 NDS Workforce Census reported that women make up 63 per cent of the disability workforce and that 28.4 per cent of workers identify as being from CALD backgrounds[16]. The Census also highlighted ongoing workforce shortages, high staff turnover and workforce sustainability challenges. Reforms that increase administrative complexity or create uncertainty for providers may place further strain on an already challenged workforce, with implications for service continuity and access to culturally responsive support[17].

NEDA submits that efforts to improve the sustainability of the NDIS should not result in greater reliance on unpaid carers and families, without recognising the broader social and economic consequences or ensuring that appropriate alternative supports are available.

COMMUNITY PARTICIPATION, CULTURAL CONNECTION, AND SOCIAL INCLUSION

Community participation plays an important role in the wellbeing, independence, and social inclusion of people with disability. For many people from CALD backgrounds, community and faith-based activities provide more than social connection. They are an important source of belonging, cultural identity, support, and connection to family and community[18]. As noted by NEDA, for some newly arrived families and people experiencing language isolation, social and community

participation supports are critical to maintaining connection to cultural life and community belonging[19].

Reducing access to supports that enable community participation may make it harder for CALD participants to remain connected to religious communities, cultural events, social networks, and other aspects of community life. These impacts can be particularly significant for people who already face barriers related to transport, communication, or independent mobility.

Participation and inclusion are central principles of both the NDIS and the UNCRPD. Reforms should support, rather than limit, opportunities for people with disability to remain active, connected, and engaged in their communities.

ENSURING TRANSPARENCY AND ACCOUNTABILITY

Strong accountability and oversight are essential to maintaining trust in the NDIS. Schedule 5 includes broad ministerial powers, often referred to as a 'Henry VIII Clause', which would allow aspects of the NDIS framework to be amended without full parliamentary scrutiny. The Senate Standing Committee for the Scrutiny of Bills has previously raised concerns about such provisions, noting that they can reduce parliamentary oversight of significant legislative changes[20].

While flexibility may be needed during periods of reform, significant changes affecting the rights and supports of people with disability should remain transparent and subject to appropriate oversight. This approach is consistent with Australia's obligations under the UNCRPD, which emphasises the active involvement of people with disability in decision-making processes that affect them and their participation in public life (Articles 4(3) and 29)[7]. This is particularly important for CALD communities, who will already face barriers to engaging with policy and decision-making processes[21,22].

NEDA submits that robust accountability mechanisms should remain a core feature of any future NDIS reforms.

RECOMMENDATIONS

NEDA recommends that the Committee:

1. **Improve access to information and review processes**

Provide reform information, participant communications, and review pathways in community languages and through trusted community organisations. Plan reassessment and review processes must remain accessible to people with limited English proficiency and those requiring advocacy support.

2. **Recognise the diverse experiences of disability within CALD communities**

Maintain flexible, person-centred plan assessment processes that recognise fluctuating, degenerative, and complex disabilities, while accounting for cultural and linguistic barriers that may affect how support needs are communicated and assessed.

3. **Protect continuity of support for CALD participants**

Ensure participants are not left without support as a result of reforms. Existing supports should not be reduced or withdrawn until suitable, accessible, and culturally responsive alternatives are available.

4. **Protect participation, inclusion, and cultural connection**

Retain supports that enable social participation, cultural and faith-based engagement, transport access, and community connection for CALD participants.

5. **Safeguard older CALD participants with disability**

Ensure reforms do not weaken existing protections for participants aged 65 and over, including those who develop additional support needs over time. Older people with disability should not lose access to disability-specific supports because of gaps between the NDIS and aged care systems.

6. **Monitor and address the impact of reforms on CALD communitie**s

Establish mechanisms to monitor, evaluate, and publicly report on the impact of reforms on CALD participants, carers, and communities to ensure unintended consequences are identified and addressed.

7. **Strengthen CALD representation in implementation and oversight**

Embed ongoing consultation and co-design with CALD disability organisations and communities throughout implementation of the reforms and ensure appropriate oversight of future regulatory changes.

8. **Ensure culturally responsive assessment processes**

Ensure future assessment tools, budget methods, and planning processes are culturally responsive and developed in consultation with CALD disability organisations and communities.

CONCLUSION

NEDA recognises the importance of ensuring the long-term sustainability of the NDIS. However, sustainability should not come at the expense of equity, inclusion, or fair access to support. For people from CALD backgrounds, reforms must be implemented in ways that recognise and address existing barriers. A sustainable NDIS must remain accessible, person-centred, culturally responsive, and grounded in the rights of people with disability. NEDA hopes the government will carefully consider the issues and recommendations outlined in this submission and take action to ensure the Bill delivers a fair and inclusive NDIS for all participants.

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